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SERIES.

G.O. No.

141

141

Dated 31st January 1948.

[Despatch Abstract.]

- Superannuation, Retirement Rules - Amendments Government
- Republished.

GOVERNMENT OF MADRAS.
Abstract:

Public Services - Premature Retirement Rules - Amendments - Government of India Notification - republished.

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Public (Services) Department.

G.O.Ms.No. 141. Dated: 21st January 1948.

Read the following:

G.O.No.1391, Public (Services) dated 26-7-37.
From the Government of India, Ministry of Home Affairs, Notification No.27/10/46 Ests. dated 13-12-1947.

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ORDER:

The Notification of the Government of India, Ministry of Home Affairs read above will be republished in the Fort St. George Gazette.

/By Order of His Excellency the Governor/

Sd. x x x
Secretary to Government.

To:

The Departments of Secretariat, including Public (Special).
The Superintendent Government Press for re-publication of notification in the Fort St. George Gazette.
The Madras Public Service Commission.
The Accountant General-

Copy to:

The Rt.Rev. The Bishop in Madras.
The Secretary/Colonial Chaplaincy Board in India to the Church of Scotland, St. Andrews Church Dalhousie Square, Calcutta.

/ true copy /

Office Assistant,
Madras Record Office.

rds/

No. 27/10/46-ESTS.
GOVERNMENT OF INDIA,
MINISTRY OF HOME AFFAIRS.

New Delhi, , (3) the 13th December 1947.

Notification:

The following amendments made by the Secretary of State for India in the Premature Retirement Rules, 1937, are published for general information:--

"I, William Francis, Earl of Listowel, one of His Majesty's Principal Secretaries of State, in virtue of the powers conferred by sub-section (i) of Section 247 and sub-section (2) of section 257 of the Government of India Act, 1935, hereby made, with the concurrence of my Advisers, the following amendments in the Premature Retirement Rules, namely:--

"I. For the second Schedule the following shall be substituted:--

SECOND SCHEDULE (See Rule 10).

1. The letter " " in the following paragraphs shall be deemed to represent:--

(a) In the case of a military officer (except one serving in the Indian Political Service who elects pension under paragraph 3 (e) (I) (a) (ii) below) and of an officer of the Royal Indian Navy, completed years of service qualifying for ordinary retiring pension under the Pension Regulations for the Army in India, and Pension Regulations for the Royal Indian Navy, as the case may be.

(b) In the case of a member of the Indian Ecclesiastical Establishment, completed years of residence in India as defined in Article 573 of the Civil Service Regulations.

(c) In the case of all other officers, completed years of active service in one or more of the Services specified in the First Schedule , or in a Service which has been merged in one of those services, or in a military or naval appointment, at the credit of an officer at the time of his retirement except that for a military officer serving in the Indian Political Service who elects pension under paragraph 3 (e) (I) (a) (ii) below, service rendered before joining the Indian Political Service shall not count as active service. For the purpose of this sub-rule, active service shall- include-

(1) all service which counts as active service under Articles 8 and 9 of the Civil Service Regulations, war leave being treated for the purpose of these rules as privilege leave;

(ii) periods spent on foreign service;

(iii) military service rendered during the Great War, 1914-1918 , prior to appointment to one of the services or posts specified, subject to the conditions which govern the counting of such military service for ordinary pension;

((iv) sick leave taken by civil officers during military service in the Great War, 1914-18, subject to the conditions laid down in the Government of India, Finance Department, Resolution No.F/21-II-C.S.R. 24, dated the 28th August, 1925 and during the world War, 1939-45, provided the disability is certified as having been due to military service.

(v) Service counting for ordinary pension under Article 374 (I) of the Civil Service Regulations:

(vi) special disability leave;

(vii) in the case of an officer who, before entering the service in India, was employed under His Majesty's Government elsewhere than in India, and whose service elsewhere than in India has already been accepted as qualifying for a combined pension under the rules made by the Treasury under section 7 (1) of the Superannuation Act, 1909, the service elsewhere which counts for such combined pension.

Plus in the case of all officers referred to in (a), (b) and (c) one-twelfth of a year for each completed month of such service in excess of the completed years.

Provided that service rendered by an officer which could not be reckoned as qualifying service in calculating his or her retiring pension or annuity shall not be counted as service for the purposes of these rules.

2. Pensions expressed in rupees in this schedule shall be converted at the minimum rate of IS.9D per rupee, subject to the conditions stated in Article 936 of the Civil Service Regulations, or in any rule which may be substituted therefor.

The conversion into rupees of pensions expressed in sterling in this schedule shall be governed by the provisions of Article 933A or 983, as the case may be, of the Civil Service Regulations, or of any rule that may be substituted for either of those Articles.

3. The pension admissible to an officer who is compelled to retire under these rules shall be as follows --

(a) To an officer of the Indian Civil Service $\frac{}{£\ 51}$ x 1,000,

subject to a maximum of £1,000 a year: Provided that whenever the sum of Rs.10,666-10-8 exceeds £1,000 in value that sum shall be substituted for £1,000 in both places where it occurs in this clause, and the pension shall be recalculated accordingly.

(b) To an officer of the Indian Army or Indian Medical Service in Civil employ:

(I) if not of higher rank than Lieut. Colonel, $\frac{}{£\ 730}$ x £ 730

10 s 0 d.- subject to a maximum of £ 730 10s 0d. a year;

(2) if of the rank of Colonel, the pension admissible under ordinary regulations.

(c) To an officer of the Royal Indian Navy or Indian Navy (Civil);

(I) if not of higher rank than Commander $\frac{}{£\ 730}$ x £ 704, subject to a maximum of £ 704 a year;

(2) if of the rank of Captain or above, the pension admissible under ordinary regulations:

(d) To an officer of the Indian Medical Service (Civil);

(I) if of less than 17 years' service qualifying for ordinary pension $\frac{N}{£\ 17}$ x £ 400;

(2) if not less than 17 years' service qualifying for ordinary pension, the pension admissible under ordinary regulations.

(e) To an officer of the Indian Political Service not being a member of the Indian Civil Service;

(1) if he has not attained the rank of [illegible] Colonel;

(2) if of the Indian Army [illegible] :

(i) £N/29 x £876, subject to a maximum of £783 10s. 0d., or

(ii) £N/25 x 950, subject to a maximum of £850;

(b) if an officer of the Indian Police, an option between:

(i) Rs.N/26 x 9,000 subject to a maximum of Rs.6,000 a year, or

(ii) Rs.N/26 x 6,000 subject to a maximum of Rs.6,000 a year, plus the special additional pension actually earned under Article 475 A of the Civil Service Regulations, subject to a total maximum of Rs.8,500.

(2) If he has attained the rank of First Class Resident, £850 plus £75 for at least one year's effective service as such as defined under Article 475 B (iv) of the Civil Service Regulations, or £150 for two or more years' effective service as such.

(f) To a member of the Indian Ecclesiastical Establishment £N/20 x £480, subject to a maximum of £480 a year.

(g) To all other officers (other than members of the Women's Branch of the Indian Educational Service) to whom these rules apply Rs.N/26 x 7,500 subjects to a maximum of Rs.6,000 a year; provided that any officer referred to in this clause who has earned an additional pension under Article 475A of the Civil Service Regulations, whether he has or has not completed the 28 years' qualifying service required by that Article, may at his option be granted in lieu of the pension specified in the said clause a pension calculated as follows, namely, Rs.N/26 x 6,000 subject to a maximum of Rs.6,000 a year, plus any additional pension earned under Article 475 A of the Civil Service Regulations, subject to an aggregate maximum of Rs.8,500 a year.

(h) To members of the Women's Branch of the Indian Educational Service Rs.N/22 x 5,000 subjecto to a maximum of Rs.5,000 a year.

4. Any officer to whom the provisions of Article 404 A of the Civil Service Regulations apply and who is permitted to retire under these rules shall be permitted to deduct from the divisors 26 and 22 in the fractions specified in clauses (g) and (h) of paragraph 3 of this schedule a number equal to the number of years which he would be entitled to add to his qualifying service if he were retiring on superannuation pension, but in that even he shall not be allowed to count military service rendered during the Great War, 1914-18, as active service, If more favourable to him, his pension may be calculated in accordance with the provisions of sub- clause (g) of Clause 3 all military service being included as active service.

Given under my hand this 9th day of June 1947.

LISTOWEL,
One of His Majesty's Principal
Secretaries of State.

II. In the Second Schedule at the end of paragraph 4 the following shall be added:--

"An Officer to whom the provisions of Note 2 to Article 599 of the Civil Service Regulations apply shall be permitted to deduct from the divisor 20 in the fraction specified in clause (f)

of paragraph 3 a number equal to the number of years [illegible] entitled to add to his qualifying service if he were retiring [illegible] annuation pension, but in that event he will not be allowed [illegible] Military Service rendered during the Great War 1914-18 [illegible].

Given under my hand this 30th day of June, 1947.

[illegible]
One of His Majesty's Principal,
Secretaries of State.

III. In the Second Schedule, in paragraph 3 (a) (1) (c) (i) for £N
28 x £ 876 substitute £N
29 x £916 -1683".

GIVEN UNDER MY HAND THIS 3[illegible] DAY OF JULY 1947.

[illegible],
One of His Majesty's Principal,
Secretaries of State.

Ed.P.V.H. Mac
Joint Secretary to the Government of India.

Explanatory Note.

(This note is not part of the Rule, but is intended to indicate its general purport.

The age concession which is applicable to members of the Secretary of State's Services appointed over the age of 28 years is applicable also to members of the Indian Ecclesiastical Establishment over the age of 30 years and amendment II - [illegible] for this.)

/ true copy /

rds/

Office Assistant,
[illegible] of India.